

Application for surface water withdrawal of up to 0.021 mgd.

36. Project Sponsor and Facility: Valley Country Club, Sugarloaf Township, Luzerne County, Pa. Applications for groundwater withdrawal of up to 0.090 mgd from the Pumphouse Well and 0.090 mgd from the Shop Well.

Public Hearing—Projects Scheduled for Action Involving a Diversion:

1. Project Sponsor: Pennsylvania Department of Environmental Protection, Bureau of Abandoned Mine Reclamation. Project Facility: Lancashire No. 15 AMD Treatment Plant, Barr Township, Cambria County, Pa. Application for an into-basin diversion of up to 10.000 mgd from the Ohio River Basin.

2. Project Sponsor and Facility: Schuylkill County Municipal Authority, Pottsville Public Water Supply System, Mount Laurel Subsystem, Butler Township, Schuylkill County, Pa. Applications for: (1) An out-of-basin diversion of up to 0.432 mgd to the Delaware River Basin for water supply; and (2) an existing into-basin diversion of up to 0.485 mgd from the Delaware River Basin.

Public Hearing—Projects Scheduled for Rescission Action

1. Project Sponsor: Corning Incorporated. Project Facility: Fall Brook Facility (Docket No. 19960301), Corning, Steuben County, N.Y.

Public Hearing—Enforcement Actions

1. Project Sponsor: Belden & Blake Corporation (EnerVest Operating, LLC). Project Facility: Sturdevant #1 Well, Smithfield Township, Bradford County, Pa.

2. Project Sponsor: Chester County Solid Waste Authority. Project Facility: Lanchester Landfill, Lancaster and Chester Counties, Pa.

3. Project Sponsor: East Resources, Inc. (Tioga River). Project Facility: American Truck Stop Site, Tioga County, Pa.

Public Hearing—Request for Administrative Hearing

1. Petitioner Mark A. Givler; RE: Chief Oil and Gas, Docket No. 20081203, approved December 4, 2008.

2. Petitioner Delta Borough, York County, Pennsylvania; RE: Delta Borough Public Water Supply Well No. DR-2; Docket No. 20090315, approved March 12, 2009.

Opportunity To Appear and Comment

Interested parties may appear at the above hearing to offer written or oral

comments to the Commission on any matter on the hearing agenda, or at the business meeting to offer written or oral comments on other matters scheduled for consideration at the business meeting. The chair of the Commission reserves the right to limit oral statements in the interest of time and to otherwise control the course of the hearing and business meeting. Written comments may also be mailed to the Susquehanna River Basin Commission, 1721 North Front Street, Harrisburg, Pennsylvania 17102-2391, or submitted electronically to Richard A. Cairo, General Counsel, *e-mail: rcairo@srbc.net* or Stephanie L. Richardson, Secretary to the Commission, *e-mail: srichardson@srbc.net*. Comments mailed or electronically submitted must be received prior to June 16, 2009, to be considered.

Authority: Public Law 91-575, 84 Stat. 1509 *et seq.*, 18 CFR parts 806, 807, and 808.

Dated: May 18, 2009.

Thomas W. Beauduy,
Deputy Director.

[FR Doc. E9-12196 Filed 5-26-09; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Summary Notice No. PE-2009-20]

Petitions for Exemption; Summary of Petitions Received

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of petitions for exemption received.

SUMMARY: This notice contains a summary of certain petitions seeking relief from specified requirements of 14 CFR. The purpose of this notice is to improve the public's awareness of, and participation in, this aspect of FAA's regulatory activities. Neither publication of this notice nor the inclusion or omission of information in the summary is intended to affect the legal status of any petition or its final disposition.

DATES: Comments on petitions received must identify the petition docket number involved and must be received on or before June 16, 2009.

ADDRESSES: You may send comments identified by Docket Number FAA-2009-0364 using any of the following methods:

- *Government-wide rulemaking Web site:* Go to <http://www.regulations.gov> and follow the instructions for sending your comments electronically.

- *Mail:* Send comments to the Docket Management Facility; U.S. Department of Transportation, 1200 New Jersey Avenue, SE., West Building Ground Floor, Room W12-140, Washington, DC 20590.

- *Fax:* Fax comments to the Docket Management Facility at 202-493-2251.

- *Hand Delivery:* Bring comments to the Docket Management Facility in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

- *Docket:* To read background documents or comments received, go to <http://www.regulations.gov> at any time or to the Docket Management Facility in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION: We will post all comments we receive, without change, to <http://www.regulations.gov>, including any personal information you provide. Using the search function of our docket Web site, anyone can find and read the comments received into any of our dockets, including the name of the individual sending the comment (or signing the comment for an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477-78).

FOR FURTHER INFORMATION CONTACT:

Tyneka Thomas (202) 267-7626 or Ralen Gao (202) 267-3168, Office of Rulemaking, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591.

This notice is published pursuant to 14 CFR 11.85.

Issued in Washington, DC, on May 21, 2009.

Pamela Hamilton-Powell,
Director, Office of Rulemaking.

Petitions for Exemption

Docket No.: FAA-2009-0364.

Petitioner: Air Charter Service, Inc.

Section of 14 CFR Affected: 14 CFR 135.165(g).

Description of Relief Sought: Air Charter Service, Inc. (Air Charter), seeks relief from § 135.165(g) to allow Air Charter to operate extended over-water flight routes which contain a two hour 15 minute very high frequency (VHF) communications gap instead of a 30 minute VHF communications gap.

[FR Doc. E9-12221 Filed 5-26-09; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION**Surface Transportation Board****[STB Ex Parte No. 690]****Twenty-Five Years of Rail Banking: A Review and Look Ahead****AGENCY:** Surface Transportation Board, DOT.**ACTION:** Notice.

SUMMARY: The Surface Transportation Board will hold a public hearing beginning at 9 a.m. on Wednesday, July 8, 2009, in the Hearing Room on the first floor of the Board's headquarters in Washington, DC. The purpose of the public hearing will be to examine the impact, effectiveness, and future of rail banking under Section 8(d) of the National Trails System Act. Persons wishing to speak at the hearing should notify the Board in writing.

DATES: The public hearing will take place on Wednesday, July 8, 2009. Any person wishing to speak at the hearing should file with the Board a combined notice of intent to participate (identifying the party, the proposed speaker, the time requested, and the topic(s) to be covered) and the person's written testimony, as soon as possible, but no later than June 29, 2009. Written submissions by interested persons who do not wish to appear at the hearing are also due by June 29, 2009.

ADDRESSES: All filings may be submitted either via the Board's e-filing format or in the traditional paper format. Any person using e-filing should attach a document and otherwise comply with the Board's <http://www.stb.dot.gov> Web site, at the "E-FILING" link. Any person submitting a filing in the traditional paper format should send an original and 10 copies of the filing to: Surface Transportation Board, Attn: STB Ex Parte No. 690, 395 E Street, SW., Washington, DC 20423-0001.

FOR FURTHER INFORMATION CONTACT: Victoria Rutson at (202) 245-0295. Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at: (800) 877-8339.

SUPPLEMENTARY INFORMATION: In 1983, Congress added Section 8(d) to the National Trails System Act to create a program—codified at 16 U.S.C. 1247(d)—to allow preservation of railroad corridors for possible future rail use, called "rail banking," and to allow railroad corridors that would be abandoned to be used in the interim as recreational trails.

In brief, the Trails Act and the Board's implementing regulations give

interested parties the opportunity to negotiate voluntary agreements to use for recreational trails railroad rights-of-way that otherwise would be abandoned. The trail sponsor must agree to assume responsibility for managing the trail, for paying property taxes on the right-of-way, and for any liability in connection with trail use. In turn, the rail carrier may salvage its track and discontinue service on the line. If the parties reach a Trails Act agreement, the right-of-way can be used as a trail until (if ever) a rail carrier decides to restore rail service on the line.

The Board has issued numerous decisions authorizing trail use negotiation periods, many of which have resulted in agreements between the rail carrier and the party seeking interim trail use. To date, the Board has authorized nine rail banked lines for the restoration of rail service. Very recently (on May 11, 2009, in STB Docket No. AB-3 (Sub-No. 104X), *Missouri Pacific Railroad Company—Abandonment Exemption—In Muskogee, McIntosh and Haskell Counties, OK*), the Board vacated a Notice of Interim Trail Use in part to permit the restoration of active rail service on a portion of a rail banked line.

In recent years, an increasing number of questions have been brought to the Board, both formally and informally, regarding aspects of the rail banking program. Formally, the Board has pending before it STB Finance Docket No. 35116, *R.J. Corman Railroad Company/Pennsylvania Lines Inc.—Construction and Operation Exemption—in Clearfield County, PA*, involving a proposal to construct and operate over 10 miles of a previously fully abandoned rail right-of-way and to reactivate a 9.3-mile portion of a connecting rail banked line. Informally, the Board has been asked who would be responsible for bearing the cost of rebuilding a railroad bridge removed during interim trail use if active rail service should ever be restored.

To allow a more detailed discussion of these and other issues, the Board is holding a hearing to explore the issues surrounding the rail banking program. These issues include:

- Has rail banking under Section 8(d) been a success for rail carriers and trail users?
- Have most rail corridors proposed for rail banking under Section 8(d) actually been developed into trails?
- Should the Board require notice or a copy of the Trails Act agreements to be submitted to the Board?
- What can or should the Board do to further facilitate rail banking and

encourage the restoration of active rail service on rail banked lines?

- Who should bear the cost to restore a rail corridor for rail service, including replacing any bridges that may have been removed during interim trail use?

- How have reversionary property owners been affected by rail banking?

Parties are also invited to comment on the rail banking program in general and the future of rail banking in an era of constrained rail infrastructure.

Date of Hearing: The hearing will begin at 9 a.m. on Wednesday, July 8, 2009, in the 1st floor hearing room at the Board's headquarters at 395 E Street, SW., in Washington, DC, and will continue, with short breaks if necessary, until every person scheduled to speak has been heard.

Notice of Intent To Participate and Testimony: Any person wishing to speak at the hearing should file with the Board a combined notice of intent to participate (identifying the party, the proposed speaker, the time requested, and the topic(s) to be covered) and the person's written testimony, as soon as possible, but no later than June 29, 2009. Also, any interested person who wishes to submit a written statement without appearing at the July 8 hearing should file that statement by June 29, 2009.

Board Releases and Live Video Streaming Available via the Internet: Decisions and notices of the Board, including this notice, are available on the Board's Web site at <http://www.stb.dot.gov>. This hearing will be available on the Board's Web site by live video streaming. To access the hearing, click on the "Live Video" link under "Information Center" at the left side of the home page beginning at 9 a.m. on July 8, 2009.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

Dated: May 21, 2009.

By the Board.

Anne K. Quinlan,
Acting Secretary.

Jeffrey Herzig,
Clearance Clerk.

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